



# Prevention of Workplace Bullying Policy

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## 1. Purpose

The purpose of the *Prevention of Workplace Bullying Policy* (policy) is to ensure the creation and maintenance of an environment which is free from workplace bullying. The policy sets out the minimum requirements and responsibilities of the WA health system and staff members in order to prevent bullying from occurring in the workplace. This policy reinforces appropriate and ethical standards of workplace behaviour as prescribed in the *Code of Conduct* (Code).

Staff members must act in accordance with the Code which identifies CORE values of Collaboration, Openness, Respect and Empowerment, which are fundamental in the workplace, and defines standards of ethical and professional conduct. The Code states that:

- there is zero tolerance for bullying, harassment and discrimination; and
- staff members must not bully or harass, or support colleagues to bully or harass, each other, patients, clients or members of the public.

Workplace bullying will not be tolerated and will be treated seriously and managed accordingly.

Legislation pertinent to this policy includes:

- *Work Health and Safety Act 2020*
- *Industrial Relations Act 1979*.

This policy must be read in conjunction with [MP 0124/19 Code of Conduct Policy](#) and [MP 0116/19 Grievance Resolution Policy](#).

This policy is a mandatory requirement for Health Service Providers under the *Work Health and Safety Policy Framework* pursuant to section 26(2)(f) of the *Health Services Act 2016*.

This policy is also a mandatory requirement for the Department of Health pursuant to section 29(1)(l) of the *Public Sector Management Act 1994*.

This policy supersedes OD 0437/13 *WA Health Preventing and Responding to Workplace Bullying Policy*.

## 2. Applicability

This policy is applicable to the WA health system and staff members as defined in this policy.

The requirements contained within this policy are applicable to the services purchased from contracted health entities where it is explicitly stated in the contract between the contracted health entity and the State of Western Australia or Health Service Provider. The State of Western Australia or Health Service Provider contract manager is responsible for ensuring that any obligation to comply with this policy by the contracted health entity is accurately reflected in the relevant contract and managed accordingly.

### 3. Policy Requirements

WA health system entities and staff members must actively prevent bullying in the workplace.

#### 3.1 Responsibilities of the WA Health System

WA health system entities must develop internal processes to manage and monitor compliance with the requirements of this policy.

WA health system entities are responsible for:

- ensuring managers and supervisors set appropriate and ethical standards of behaviour;
- ensuring all staff members are aware of the existence and contents of this and other related policies;
- providing staff members with appropriate information and/or training, and advising staff members that bullying of any type will not be tolerated;
- monitoring the work environment to ensure that bullying behaviour is identified and promptly addressed; and
- ensuring that any staff member involved in submitting an allegation of bullying pursuant to this Policy is not subjected to any act of victimisation or reprisal.

WA health system entities must ensure compliance with specific obligations set out in the *Work Health and Safety Act 2020* (WHS Act) and the *Industrial Relations Act 1979* to ensure a safe working environment and act on allegations of bullying as required. Preventing bullying from occurring, and dealing with it when it does occur, is the responsibility of the relevant manager within the WA health system entity.

#### 3.2 Responsibilities of Staff Members

All staff members must:

- contribute to a zero tolerance approach to bullying workplace culture;
- refrain from behaviours that may constitute workplace bullying;
- carefully consider their own behaviour and its potential impact on others;
- not tolerate unacceptable behaviour by others; and
- seek to report and/or resolve concerns of workplace bullying through either informal or formal processes.

All staff members must support and comply with standards of appropriate and ethical behaviour set out in the Code, *Public Sector Management Act 1994*, and [Commissioner's Instruction No. 7 – Code of Ethics](#). Under the WHS Act, staff members must take reasonable care of their own safety and health at work and avoid adversely affecting the safety or health of any person in the workplace through any act or omission.

Consistent with the WHS Act, staff members must follow their employing authority's policies and guidelines, cooperate on work-related safety and health matters and report any work-related injuries or anything that they consider to be a hazard in their workplace, which could include bullying.

### 3.3 Advice and Support

Managers seeking advice and support should contact their local Human Resources unit.

Staff members seeking advice and support are encouraged to access the Employee Assistance Program (EAP). Details regarding a staff member's relevant EAP can be obtained from their line Manager and/or local Human Resources unit. Staff members may also wish to consider seeking advice from their union, association or professional body, WorkSafe WA or the Equal Opportunity Commission.

### 3.4 Resolution of Workplace Bullying

Reporting and resolution of workplace bullying matters must be managed and processed in accordance with the Code. If a staff member suspects a breach of the Code has occurred, they must refer to the section on Reporting Suspected Breaches of the Code in the Code and follow the process as detailed. If a grievance is lodged, the Grievance Resolution process must comply with [MP 0116/19 Grievance Resolution Policy](#) and [Commissioner's Instruction No. 7 – Code of Ethics and the Code](#).

## 4. Compliance Monitoring

The WA health system is responsible for complying with this policy.

The Workforce and Employment Unit, on behalf of the System Manager, will monitor WA health system entities compliance and performance with this policy via audit and/or review. Audits and/or reviews of WA health system entities compliance may include review of Governance Committee records.

## 5. Related Documents

The following documents are mandatory pursuant to this policy:

- N/A

## 6. Supporting Information

The following information is not mandatory but informs and/or supports the implementation of this Policy:

- WA Public Sector Commission, [Prevention of workplace bullying in the WA public sector: A guide for agencies \(2020\)](#).
- WA Industrial Relations Commission, [Form 14 – Application for an Order to Stop Bullying or Sexual Harassment \(or Both\)](#).
- Government of Western Australia, Department of Mines, Industry Regulation and Safety, [Code of practice – Workplace behaviour \(2022\)](#).

## 7. Definitions

The following definition(s) are relevant to this policy.

Term	Definition
Bullying	Means unsolicited or unwelcome repeated, unreasonable or inappropriate behaviour directed towards a worker or group of workers, that creates a risk to health and safety.
Employing authority	Employing authority means: (a) in relation to Health Service Providers: (i) for a chief executive – the Department CEO; (ii) for all other employees of a board governed Health Service Provider – the Board; (iii) for all other employees of a chief executive governed Health Service Provider – the chief executive. (b) in relation to Department of Health employees – the Department of Health CEO.
Health Service Provider	Health Service Provider means a Health Service Provider established under section 32 of the <i>Health Services Act 2016</i> and may include North Metropolitan Health Service (NMHS), South Metropolitan Health Service (SMHS), Child and Adolescent Health Service (CAHS), WA Country Health Service (WACHS), East Metropolitan Health Service (EMHS), PathWest, Quadriplegic Centre and Health Support Services (HSS).
Staff member	For the purposes of this Policy, staff member means: (a) a person employed in a Health Service Provider by an employing authority pursuant to the <i>Health Services Act 2016</i> and includes: (i) the chief executive of the Health Service Provider; (ii) a health executive employed in the Health Service Provider; (iii) a person employed in the Health Service Provider under section 140 of the <i>Health Services Act 2016</i> ; (iv) a person seconded to the Health Service Provider under section 136 or 142 of the <i>Health Services Act 2016</i> ; (b) a person engaged under a contract for services by a Health Service Provider pursuant to the <i>Health Services Act 2016</i> ; (c) a person employed in the Department of Health by or under an employing authority pursuant to the <i>Public Sector Management Act 1994</i> .
WA health system	The WA health system is comprised of: (i) the Department; (ii) Health Service Providers (NMHS, SMHS, CAHS, WACHS, EMHS, PathWest, Quadriplegic Centre and HSS); and

	(iii) to the extent that contracted health entities provide health services to the State, the contracted health entities.
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## 8. Policy Contact

Enquiries relating to this policy may be directed to:

Title: Executive Director, Governance and System Support

Directorate: Governance and System Support

Email: [EmploymentPolicyFramework@health.wa.gov.au](mailto:EmploymentPolicyFramework@health.wa.gov.au)

## 9. Document Control

Version	Published date	Effective from	Review date	Amendment(s)
MP 0117/19	13 August 2019	13 August 2019	December 2021	Original version
MP 0117/19 v.2.0	27 May 2022	27 May 2022	May 2025	Policy review and amendments as below.
<ul style="list-style-type: none"> <li>Broadened the applicability of the Policy to include Department of Health and contracted health entities.</li> <li>Replaced references of the <i>Occupational Safety and Health Act 1984</i> with the current <i>Work Health and Safety Act 2020</i>.</li> <li>Included additional support resources in the Advice and Support section.</li> <li>Updated the links to reflect new revisions of the Supporting Information documents.</li> <li>Included new definitions for Employing authority, Health Service Provider, Staff member (in replacement of Employee) and WA health system.</li> </ul>				
MP 0117/19 v.2.1	23 August 2022	27 May 2022	May 2025	Amendment as below.
Amendment to update the Policy Contact Section from Executive Director, Governance and System Support to Director, Workforce and Employment.				
MP 0117/19 v.2.2	22 August 2023	22 August 2023	May 2025	Amendment as below.
<ul style="list-style-type: none"> <li>New paragraph outlining legislation pertinent to policy included in Purpose section, noting the <i>Work Health and Safety Act 2020</i> and the <i>Industrial Relations Act 1979</i>.</li> <li>Reference to <i>Industrial Relations Act 1979</i> included in Policy Requirements section 3.1.</li> <li>Replaced Code of practice: <i>Violence, aggression and bullying at work (2022)</i> with <i>Code of practice – Workplace behaviour (2022)</i>.</li> <li>New supporting information link included: Stop bullying or sexual harassment applications – WA Industrial Relations Commission.</li> </ul>				
MP 0117/19 v.2.3	6 September 2023	6 September 2023	May 2025	Amendment as detailed below.
Mandatory policy transferred from the Employment Policy Framework to the new Work Health and Safety Policy Framework.				

## 10. Approval

<b>Approval by</b>	Dr David Russell-Weisz, Director General, Department of Health
<b>Approval date</b>	7 August 2019

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